ARTICLES

Concluded & Agreed on for the Surrender

OF

Oxford & Farringdon

To His Excellency

Sir *THO: FAIRFAX,*

Upon Wednesday the 24th of this instant JUNE:

And Read in the Honourable House of COMMONS, June 23. 1646.

In regard there is many short and imperfect Copies abroad, this true Copy is set forth to prevent abuses.

ORdered by the Commons assembled in Parliament, That these Articles *be forthwith printed and published:*

H: Elsynge, Cler. Parl. D. Com.

LONDON:
Printed for *Edward Husband*, Printer to the Honorable House of Commons: June 24. 1646.

Articles of Agreement concluded and agreed by the Right Honorable Sir Richard Lane *Knight, Lord Keeper of the Great Seal of* England, Francis *Lord* Cottington, *Lord High Treasurer of* England, William *Marques of* Hertford, Edward *Earl of* Dorset, *Lord Chamberlain of His Majesties Honorable Household*, Thomas *Earl of* Southampton, Francis *Earl of* Chichester, Francis *Lord* Seymor, *Sir* Edward Nicholas *Knight, one of His Majesties principal Secretaries of State, all of them being of His Majesties most Honorable Privy Councel, and* Sir Tho: Glemham *Knight, and Governor of* Oxford, *on the one party; And His* Excellency *Sir* Thomas Fairfax *Knight, General of the Forces raised for the Parliament, on the other party, for and concerning the rendring of the Garrison of* Oxford, *as followeth*:

1. THat the Garrison of *Oxford*, with the Castle, Forts, Mounts, and places of Defence whatsoever, With all the Ordnance, Arms, Ammunition, and Provisions of War, with all Magazines and Stores thereunto belonging, excepting

who is allowed in the ensuing Articles, shall be delivered to the General Sir *Thomas Fairfax*, or whom he shall appoint, without wilful spoil or embezlement, upon *Wednesday* the 24. day of this instant *June*, 1646. at Ten of the Clock in the Morning, or thereabouts.

2. That His Highnesse the Duke of *York* shall have an Honorable Convoy to *London*, where other of His Majesties Children are, attended by His Officers and Servants, and fitting accommodation for the removal of His Houshold and goods thither; And shall have an Honorable provision befitting His Dignity, appointed for Him by the Parliament, and to remain there until His Majesties pleasure be known, touching His setling there, or elsewhere, and then to be disposed accordingly to any place within fourscore miles of *London*, and shall have such Officers and Servants to continue about Him as the Parliament shall approve.

3. That their Highnesses Pr: *Rupert* & Pr: *Maurice*, shall have liberty and Passes for themselves, with their Servants, Horses, Arms and Goods (the number of their Horses for them and their Train not exceeding seventy) to repair to any place within fifty miles of *London*, so it be not within twenty miles of *London*, without leave from the Parliament, nor in any Garrison, and there to abide for the space of six Moneths after the Rendring, free from any molestation by imposition of Oaths, or otherwise; and shall have Passes to go beyond the Seas at any time within the said six Moneths, with their said Servants, Horses, Arms and Goods, they engaging themselves upon their Honors, not to use the liberty hereby granted in the mean time to any Hostility against the Parliament of *England* sit-

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ting at *Westminster*? or any way wilfully to the prejudice of their Affairs. And they are to have the benefit of such the ensuing Articles as may concern them.

4. That the Seals, called the Great Seal, Privy Seal, the Signet, and the Seals of the Kings Bench, Exchequer, Court of Wards, Dutchy, Admiralty, and Prerogative, as also the Sword of State, shall at such time, and in the presence of two such persons as the General Sir *Thomas Fairfax* shall appoint, be lockt up in a Chest, and left in the publike Library: And if any of the aforenamed particulars shall not be then accordingly produced, the default thereof shall not be charged upon any other person, then such as hath the custody thereof, and shall wilfully detain or embezle the same.

5. That Sir *Thomas Glemham* Knight, &c. Governor of *Oxford*, with his Servants, and all that to him belongs, and all Officers and Souldiers of Horse and Foot, and of the Train of Artillery (as well Reformed Officers and Souldiers as others) with their Servants, and all that pertains unto them, shall march out of the City of *Oxon* with their Horses and compleat Arms that properly belong unto them, proportionable to their present or past Commands, flying Colours, Trumpets sounding, Drums beating, Matches lighted at both ends, Bullet in their mouthes, and every Souldier to have twelve Charges of Powder, Match and Bullet proportionable, and with Bag and Baggage, to any place within fifteen miles of *Oxford*, which the Governor shall choose, where such of the common Souldiers as desire to go to their own homes, or Friends, shall lay down their Arms, which shall be de-

delivered up to such as the General Sir *Thomas Fairfax* shall appoint to receive them. And all Officers and Souldiers, as well Reformed as others, that shall desire to go to their homes or Friends, shall have the Generals Passe and Protection for their peaceable repair to, & abode at the several places they shal so desire to go into, and shall have Free-quarter allowed them in all their March from *Oxon* to those several places; The Officers, as well Reformed as other, to passe with equipage of Horses, and compleat Arms, answerable to their present or past Commands, and common Troopers with their Horses and Swords only; and all to passe with Bag and Baggage as aforesaid. And that all other Officers and Solders (in case there be any such) that shall desire to take Entertainment from any Forraign Kingdom or State, shall have free Quarter allowed them for Twenty eight dayes from their march out of *Oxon*, and shall have Passes for their Officers not exceeding Ten, with their Horses and Two Servants a piece to go to *London* to Treat with any Foreign Ambassador or Agent, for Entertainment: And all of them shall have liberty and Passes to march (the Officers with their complete Arms and Horses proportionable to their present or past Commands, and the Common Souldiers with their Arms, and all with Bag and Baggage) to the Quarters near to *Harwich* or *Portsmouth*, or to any Port between them to be transported; Which Arms (except Officers complete Arms and Horses, and Swords for the Common Souldiers, which they may transport) they shall there lay down and deliver to such as the General shall appoint, or unto the Governor of the next Garrison

riſon belonging unto the Parliament, who ſhall take care for their ſafety during their abode there, and that ſhipping can be provided, and weather ſeaſonable, they paying for their Quarter after the ſaid Twenty eight dayes expired, and ſhall aſſiſt them for procuring Veſſels and ſhipping for their tranſportation at the uſual Rates accuſtomed for Fraight, The Officers and Souldiers, and others, before tranſportation engaging themſelves by promiſe not to return into this Kingdom in Hoſtility againſt the Parliament in Bodies as they go, or in conjunction with other Forces, or in command of any Forces invading this Kingdom: And no Oath or any other engagements of this, or the like nature to be, during their ſaid ſtay, or at their tranſportation impoſed upon them, ſaving an engagement by promiſe, not to do any Act of Hoſtility, or of wilful prejudice againſt the Parliament, during their ſaid ſtay in *England*. And it is declared, That thoſe of the three Auxiliary Regiments conſiſting of Gentlemen and their Servants, Scholers, Citizens and Inhabitants, who are not properly of the Garriſon in Pay; and ſuch Reformed Officers and Souldiers who ſhall not be willing to march forth, ſhall not be forced to march out upon this Article, but ſhall have the benefit of the following Articles, to remove, or remain in *Oxford*, and in all things elſe which may concern them; And thoſe alſo who ſhall march forth, ſhall have the benefit of the enſuing Articles in all things, except for remaining in *Oxford*.

6. That the Governor ſhall be allowed, and aſſiſted in the procuring a ſufficient number of Carts, Teems, and Boats and other neceſſaries for the carrying away

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all Goods allowed in these Articles belonging to any Officers, or persons of quality now residing in the Garrison, they paying the accustomed Rates: And that such persons as cannot presently, through want of Carriages or otherwise, convey them away, shall be assisted with Carriages at any time within Three Moneths for the disposing thereof.

7. That no Officer or Souldier, nor any person whatsoever comprized in this Capitulation, shall be reproached, or have any disgraceful Speeches, or Affronts offered to them, or be stopped, plundred, or injur'd in their March, Rendezvous or Quarters, journeys or places of abode: And if any such thing shall fall out, satisfaction shall be given at the judgement of any two or more of the Commissioners, they being equal in number of each party. Nor shall the persons aforesaid, nor any of them be inticed, or compelled to take up Arms against the King; Nor be imprisoned, restrained, sued, or molested for any matter or cause whatsoever before the rendring of the Garrison, be it of publike or private Interest, during six Moneths after the rendring thereof: And if any Officer, Souldier or person be sick or wounded, that they cannot at present enjoy the benefit of these Articles, that such persons shall have liberty to stay until they be recovered, and fit accommodation and subsistence shall be provided for them during their stay, and then to enjoy the benefit of these Articles.

8. That all Horses, Arms, Money, and other Goods whatsoever taken as lawful Prize of War, before or during the Siege, and now remaining in the City, be continued in the possession of the present possessors.

9. That

9. That these Articles shall extend to the use and benefit of all Strangers of any forrain Kingdom or State residing within this Garison, together with their Wives, Children, Servants, Horses, Arms, Goods, Money and Debts.

10. That all persons included within these Articles, without exception of any (other then the Souldiers, that are to march out upon the fifth Article) shall have liberty during the space of three months after the rendring of the Garison, either to remain in *Oxford*, or to remove themselves with their Families, Goods, Horses, and all things that properly belong to them, or to their disposition: And all Noble-men, Gentlemen, and persons of quality, with their Arms and other equipage, to their Houses, or Friends, without any prejudice to their Friends for receiving them.

11. That all Lords, Gentlemen, Clergie-men, Officers, Souldiers, and all other persons in *Oxon*, or comprised within this Capitulation, who have Estates real or personal under or liable to Sequestrations according to Ordinance of Parliament, and shall desire to compound for them (except persons by name excepted by Ordinance of Parliament from Pardon) shall at any time within six months after rendring the Garison of *Oxford*, be admitted to compound for their Estates: which Composition shall not exceed two yeers Revenue for Estates of Inheritance: and for Estates for Lives, yeers, and other real and personal Estates, shall not exceed the proportion aforesaid for Inheritances, according to the value of them. And that all persons aforesaid, whose dwelling-houses are sequestrated (except before excepted) may after the rendring of the Garison, repair to them, and there abide, convenient time

being allowed to such as are placed there under the Sequestrations for their removal: and it is agreed, That all the profits and Revenues arising out of their Estates (after the day of entring their names as Compounders) shall remain in the hands of the Tenants or Occupiers, to be answered to the Compounders, when they have perfected their agreements for their Compositions, and that they shall have liberty, and the Generals Passe and Protection for their peaceable repair to, and abode at their several Houses or Friends, and to go to London to attend their Compositions, or elsewhere upon their necessary occasions, with freedom of their persons from Oaths, Ingagements and Molestations, during the space of six Moneths, and after, so long as they prosecute their Compositions, without wilful default or neglect on their part, except an Engagement by promise not to bear Arms against the Parliament, nor wilfully do any Act prejudicial to their Affairs, so long as they remain in their Quarters: And it is further agreed, That from and after their Compositions made, they shall be forthwith restored to, and enjoy their Estates, and all other immunities as other Subjects, together with their Rents and Profits, from the time of entring their Names, discharged of Sequestrations, and from fifth and twentieth parts, and other Payments and Impositions, except such as shall be general and common to them with others.

12. That no Lords, Gentlemen, Clergy-men, Scholars, Officers, Souldiers, Citizens, nor any other persons included in this Capitulation (except the persons mentioned before to be excepted from Pardon) shall be molested or questioned for any thing said or done, in, or concerning this War, or relating to the unhappy differen-

differences between His Majesty and the Parliament, they submitting to Composition as in the preceding Article; And that the persons beforementioned to be excepted from Pardon, shall have the benefit of this Article, during the space of six Moneths, from the Rendring of the Garrison, and after, if they be admitted to, and agree for their Compositions.

13. That the persons mentioned before to be excepted from Pardon, shall have liberty, and the Generals Passe and Protection for themselves, Families, Horses, Goods, and all things that properly belong unto them now in *Oxford*, to go unto, and abide at their own Houses or their Friends, for the space of six Moneths after the Rendring of the Garrison, and within that time to repair unto *London* to endeavour Compositions for their Estates, and indemnity of their persons, and to make their peace, and if they cannot obtain it, shall have Passes to go beyond the seas at any time within the said six months, and that no other Engagement shall be put upon them, save by promise, not to bear Arms against the Parliament, nor wilfully do any Act prejudicial to their Affairs, so long as they remain in their Quarters.

14. That the Chancellor, Masters and Scholars of the University of *Oxon*, and the Governours and Students of Christs Church of King *H.* 8. his Foundation, and all other Heads and Governours, Masters, Fellows and Scholars of the Colledges, Halls, and Bodies Corporate, and Societies of the same University, and the publike Professors, and Readers, and the Orator thereof, and all other persons belonging to the said University, or to any Colledges or Halls therein, shall and may, according to their Statutes, Charters and Customs, en-

joy their ancient form of Government, subordinate to the immediate Authority and Power of Parliament: And that all the Rights, Priviledges, Franchises, Lands, Tenements, Houses, Possessions, Rents, Revenues, Hereditaments, Libraries, Debts, Goods and Chattels belonging to the said University, or to Christs Church, or to any Colledges or Halls in the said University (except such Rents and Revenues as have been already taken and received by Ordinance of Parliament) shall be enjoyed by them respectively, as aforesaid, free from Sequestrations, Fines, Taxes, and all other Molestations whatsoever, for, or under colour of any thing whatsoever relating to this present War, or to the unhappy differences between His Majestie and the Parliament: And that all Churches, Chappels, Colledges, Halls, Libraries, Schools, and publike Buildings within, or belonging to the City or University, or to Christs Church, or the several Colledges or Halls thereof, shall be preserved from defacing and spoil: And if any removal shall be made by the Parliament of any Head, or other Members of the University, Christs Church, Colledges or Halls, that those so removed shall enjoy their profits during the space of six months after the rendring of *Oxon*, and shall have convenient time allowed them for removal of themselves and their Goods from their lodgings: Provided that this shall not extend to retard any Reformation there intended by the Parliament, or give them any liberty to intermeddle in the Government.

15. That the Maior, Bayliff and Commonalty, and all Corporations within the City, shall enjoy their ancient Government, and their Charters, Customs, Franchises, Liberties, Lands, Goods and Debts, and all things

elſe whatſoever which belong to them as Corporations ſubordinate to the immediate authority and power of Parliament, and ſhall not be moleſted or queſtioned by colour of any thing before the rendring of this Gariſon, done, or ordered by them in the capacity of Corporations, relating to the differences between His Majeſtie and the Parliament.

16. That the Citizens and Inhabitants of the City, ſhall not be charged with free quarter, or billet of Souldiers, other then for lodging (except in urgent time of neceſſity) and that to be ordered and diſpoſed by the advice of the Maior, or his Deputy; and that in all Publike Taxes they ſhall be charged proportionably with the County: And that no Scholar, Citizen, or Inhabitant in the Univerſity and City of *Oxford*, ſhall be troubled or queſtioned for taking up Arms in the Gariſon by expreſſe Command during the time it was a Gariſon, for the defence thereof: And that the Scholars, Citizens, and Inhabitants ſhall have the benefit of this Capitulation, in all things that may concern them.

17. That no Officer, Souldier, or other perſon who by the Articles are to march out of the City or Suburbs, or to march in, ſhall plunder, ſpoil or injure any Scholar, Citizen, or Inhabitant, or other perſon in *Oxford*, in their perſons, goods or eſtates, or carry away any thing that is properly belonging to any of them.

18. That all Ladies, Gentlewomen, and other women now in *Oxon*, whoſe husbands or friends are abſent from thence, may have Paſſes and Protections for themſelves, ſervants and goods to go to and remain at the houſes of their husbands, or at their friends, as they ſhall deſire; and to go or ſend to *London*, or elſewhere,

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to obtain the Allowances out of their husbands or parents Estates, allotted them by Ordinance of Parliament.

19. That such of His Majesties Houshold-servants who shall desire to go to His Majestie, may have free liberty and Passes to go accordingly, at any time within one month next after the rendring of the Garison: And that His Majesties Houshold-stuff, and other His peculiar goods, which are now in *Oxford*, may be carried to His Majesties house at *Hampton-Court*; and His Servants under whose charge or custodie any of them are, shall be allowed and assisted in the procuring of Carts, Boats, and Carriages for the removal of them thither, and there to remain till His Majesty shall otherwise dispose of them, and then to be sent or disposed accordingly. And that such of His Majesties Servants who are not able for the present to go to Him, shall have liberty, Passes and Protections, to go to and remain at His Majesties said House at *Hampton-Court*, and have liberty to attend the Committee for His Majesties Revenue, to procure a competent Allowance out of His Majesties Revenues for their subsistance, until His Majesty shall otherwise provide for, or dispose of them.

20. That all Clergy-men now in *Oxford*, who shall not upon Composition or otherwise, be restored to their Church-Livings, shall have liberty to go to *London*, to obtain some fitting allowance for the Livelyhood of themselves and their Families.

21. That it is Intended, Declared and Agreed, That all persons comprised within these Articles, shall peaceably and quietly enjoy all their Goods, Debts and Moveables allowed by these Articles, during the space of six Moneths after Rendring the Garison: And that they shall be free from all Oaths, Engagements and

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Moleſtations, except an Engagement by promiſe not to bear Arms againſt the Parliament, nor wilfully do any Act prejudicial to their Affairs, ſo long as they remain in their Quarters. And that they ſhall have liberty within the ſpace of ſix Moneths (in caſe they ſhall be reſolved to go beyond Seas) to diſpoſe of their Goods, Debts and Moveables allowed by theſe Articles, and depart the Kingdom if they ſhall think fit; And to have Paſſes for their Tranſportation, or otherwiſe to ſtay in the Kingdom.

22. That if any of theſe Articles ſhall in any point be broken or violated by any perſon or perſons in *Oxford*, or comprized within this Capitulation, the fault and puniſhment ſhall be upon him or them only who made the breach or violation, and ſhall not be imputed to, or charged upon any other not aſſenting thereunto, or not an actor in it.

23. That the Duke of *Richmond*, the Earl of *Lindſey*, and their Servants that came forth with them, ſhall enjoy the benefit of theſe Articles in whatſoever may concern them.

24. That the Garriſons of *Farringdon* ſhall be rendred to His Excellency Sir *Thomas Fairfax*, and the Governor, Gentlemen, Souldiers, and all other of what quality ſoever within thoſe Gariſons, ſhall enjoy the benefit of theſe Articles in every particular which may concern them, they Rendring the Gariſon accordingly as *Oxford*.

25. That all perſons comprized in theſe Articles ſhall (upon requeſt) have a Certificate under the hand of His Excellency Sir *Thomas Fairfax*, or the future Governor of the City, That ſuch perſons were in the City at the time of the Surrender thereof, and are to have

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the benefit of these Articles.

26. That the General Sir *Thomas Fairfax* shall give a Passe to one or two Messengers, with their Servants, to go unto the King, to give Him an accompt of the proceedings upon this Treaty, and conclusion thereof, and to return, and receive the benefit of these Articles.

Dated at Oxford the 20. *day of June*, 1646.

Ri: Lane C. *Cottington. Hertford. Dorset.*
T: Southampton. Chichester. F: Seymour.
Edw: Nicholas. Tho: Glemham.

Die Martis, 23. Junii, 1646.

Resolved, (upon the Question) That this House doth approve of the Proceedings of the General in the making of these Articles, for and concerning the Rendring of the Garrisons of Oxford *and* Farringdon, *and in the performing of them.*

Resolved, &c.

That these Articles for and concerning the Rendring of the Garrisons of Oxford *and* Farringdon, *be forthwith Printed.*

H: Elsynge, Cler. Parl. D. Com.

FINIS.